



**ఆంధ్రప్రదేశ్ రాజ పత్రము**  
**THE ANDHRA PRADESH GAZETTE**  
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**PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC**

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**NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,**

**CHIEF EXECUTIVE OFFICER,**  
**A. P. STATE WAQF BOARD,**  
**4<sup>th</sup> FLOOR, IMDADAGHAR, Opp: KALESWARAO MARKET, VIJAYAWADA.**

**F.No.12 / VJM / K / 2002 / Z-V.**

**Date: 14-09-2022.**

VIZIANAGARAM DISTRICT - DARGAH HZT KHADER VALI BABA (RH) SITUATED AT BABA METTA AT VIZIANAGARAM TOWN - Sri MOHAMMED KHALEELULLA SHAREEF, S/o. Late MOHAMMED ATAVULLA SHAREEF SHA TAJ KHADER BABA APPOINTED AS MUTAWALLI U/Sec.63 OF WAQF ACT, 1995 FOR A PERIOD OF THREE (3) YEARS.

- Read :
1. Muntakab issued on .B3/62/VZM/2001, 16-02-2001.
  - 2.This Office Proceedings dated.08-08-2011, 17-09-2013.
  - 3.Representation of Sri Md Khaleelulla Shareef dated.20-01-2022.
  - 4.This Office Order dated.27-02-2022.
  - 5.Joint inspection report dated.12-03-2022 of Sri. Md.Ali, Asst Secretary and I.A Waqfs, Vizianagaram District along with connected documents.
  - 6.Board's Resolution No.310 of 2022, dated:19-05-2022
  - 7.Orders of the Hon'ble Chairperson, APSWB, dated: 10-06-2022.
  - 8.Board's Resolution No.357 of 2022, dated:24-08-2022.
  - 9.Orders of the Hon'ble Chairperson, APSWB, dated.14-09-2022.

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**ORDER:**

The Waqf institution namely Dargah Hzt Khader Baba Vali, Khader Baba Nagar, Vizianagaram town is a notified Waqf property and got published in A.P. Gazette No.383, Part-II, Dated.22-03-2001 in page No.617 & 618 vide Muntaqab No.B3/62/VZM/2001 at Serial No.4 in page No.162&163. The said institution is having attached properties in T.S.No.411 corresponding to R.S.No.4 admeasuring Ac.18.00 cents situated at Municipal Limits of Vizianagaram under the Towliath of AP State Waqf Board and the Rule of succession to the office of the Mutawalli specified as decided by the Waqf Board from time to time.

In the reference 2<sup>nd</sup> cited, Sri Mohammed Atavullah Shareef Shah Taj Quadri Baba S/o. late Ahmed Ali has appointed as Mutawalli Under sec. 63 of Waqf Act, 1995 for a period of (3) three years and also recognized him as Mutawalli U/sec. 42 of Waqf Act, 1995 on 17-09-2013 and the Proceedings also got published in A.P. Gazette No.38, Part-II, dated.22-09-2011.

A representation has been received from Sri Mohammed Khaleeulla Shareef, S/o. late Mohammed Atavulla Shareef Sha Taj Khadri Baba at Vizianagaram Town vide reference 3<sup>rd</sup> cited. This office has called a detailed from Sri Mohammed Ali, Assistant Secretary, APSWB, Vijayawada and the Inspector Auditor Waqf, Vizianagaram District vide ref. 4<sup>th</sup> cited on the above said representation. Accordingly, Joint report along with connected documents were received vide reference 5<sup>th</sup> cited and they are informed that Sri. Mohammed Atavullah Shareef Shah Taj Khadri Baba died on 19-11-2021 and the family member Certificate was issued by the Tahsildar, A.Konduru Mandal on 21-01-2022, No objection Certificate given by his family members in favour of Sri Mohammed Khaleelulla Shreef S/o. Late Mohammed Atavulla Shareef Sha Taj Khadri.

They further reported that the said institution is covered in Sy.No.311/2 to an extent of Ac.5.00 cents, Dargah Shareef is covered an extent of Ac.3.55 cents in Sy.No.226 (Old No.7) and also Musafir Khana with AC sheet Rooms (6) in Sy.No.224 part with an extent of Ac.0.95 cents. The said property is intact and attached properties which are covered under Jio Mapping and updated in AP Online. Further, the management have paid Waqf fund up to 2021-2022 and also submitted three years income and expenditure statement for the years 2018-2019, 2019-2020, 2020-2021 Audited by the Chartered Accountant.

Further they are informed that Sri Mohammed Khaleelulla Shareef is involved in Dargah affairs from his childhood and he recognized as Naib Mutawalli by his father of Late Mohammed Atavulla Shareef Sha Taj Khadri Baba on 19-10-2021 and he was discharged the duties till the death of Mutawalli and also operate the bank Account No.155411100000876 by him.

They further reported that during their inspection in the dargah premises some old devotees who are offering fatheha they informed to them that they are affiliated with deceased Mutawalli Late Mohammed Atavullah Shareef Sha Khadar Baba since last 35 to 40 years and also know Sri Mohammed Khaleelulla Shareef for the last 20 to 25 years. At present there are no other person is managing the institution except Sri Md. Khaleelulla Shareef and he participated in the development activities of Dargah taken up by the deceased Mutawalli and Waqf Board also issued NOC for protection and development of Daragh in favour of deceased Mutawalli. The deceased Mutawalli is a strong follower of the Sufism that is why the devotees irrespective of caste, creed and color are the followers of the deceased Mutawalli and the Dargah Shareef. They further informed that in every activities i.e. development, construction and regular langars at the deceased Mutawalli to manage the affair of the Dargah.

They further reported that Under section 42 of Waqf Act,1995 the "Change in the management of Auqaf to be notified in the case of any change in the management of registered Waqf due to the death or retirement or removal of the Mutawalli, the incoming Mutawalli shall forthwith, and any other person may notify the change to the Board".

They have requested as per above provision, the request of incoming Mutawalli requested by way of representation dated on 22-01-2022 to the Waqf Board to notify the change in the management as the Mutawalli who recognized by the Board U/sec. 42 of Waqf Act, 1995 was expired on 19-11-2021

The subject matter was placed before the Hon'ble Chairperson who after careful examine and passed orders to referred the matter to Towliath Committee and the Board vide resolution No.310 of 2022, dated.19-05-2022 resolved to place all the matters before the Board referred to the Sub Committees earlier vide ref.6<sup>th</sup> read above.

Accordingly, the subject matter has been placed before the Board and the Board has passed resolution No. 357 of 2022, dated.24-08-2022 vide in the ref. 8<sup>th</sup> read above to appoint Sri. Mohammed Khaleelulla Shareef, S/o. late Mohammed Atavullah Shareef as Mutawalli U/sec. 63 of Waqf Act, 1995 for a period of (3) years

to Dargah Hazrath Khader Vali Baba (Rh), situated at Baba Metta at Vizianagaram District.

Accordingly, Sri. Mohammed Khaleelulla Shareef, S/o. late Mohammed Atavullah Shareef Sha Taj Khader Baba is hereby appointed as Mutawalli to Dargah Hazrath Khader Vali Baba (Rh) and its attached properties situated at Baba Metta at Vizianagaram Town & District U/sec. 63 of Waqf Act, 1995 for a period of three (3) years for managing the affairs of the subject Waqf Institution by following Waqf Act, 1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time. He should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below..

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

**L. ABDUL KHADIR,**  
*Chief Executive Officer,*  
*A.P. State Waqf Board, Vijayawada.*

To  
Sri Mohammed Khaleelulla Shareef,  
S/o. late Mohammed Atavulla Shareef Sha Taj Khader Baba,  
Mutawalli of Dargah Hazrath Khader Vali Baba (Rh),  
Situated at Baba Metta, Vizianagaram Town & District.

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